

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service - Agricultural Marketing Department - Departmental Proceeding Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu – Under Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 - Articles of Charges – Issued.

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AGRICULTURE AND COOPERATION (VIG.II) DEPARTMENT

G.O.RT.No. 773

Dated: 02-12-2019

ORDER:

1. In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-Rule (2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Sri K.Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu vide G.O.Ms.No.114, Agriculture & Cooperation (Vig.II) Department, dated:02.12.2019, it is proposed to hold an enquiry against Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure - I & II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu is directed to submit his written statement of defense within 15 days from the receipt of this order.

4. Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu is further informed that an enquiry will be held only in respect of those articles of charges as that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu is further informed that, if he does not submit his written statement of defense on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. The attention of Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Charge Memo may be acknowledged.

(BY THE ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

To

Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu (through Spl. C&DoAM, A.P., Guntur)

The Special Commissioner & Director of Agricultural Marketing, A.P., Guntur (with a request to serve the order to the charged officer and return the served copy with dated ack.,)

SC.

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.773 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.NOORUDDIN, S/o SRI K.FAKRUDDIN, AGE 59 YEARS, DEPUTY DIRECTOR OF MARKETING, OD AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, ANANTHAPURAMU.

That Sri K. Nooruddin S/o Sri K. Fakruddin, 59 yrs, joined into Government service on 19.09.1983 as Junior Assistant in Agricultural Market Committee and worked in various capacities. Subsequently he got promotion as Senior Assistant on 28.06.1994; as Superintendent on 09.06.2000; as Audit Officer on 13.08.2007 and worked at his Head office, Hyderabad and further promoted as Deputy Director of Marketing as Selection Grade Secretary on 30.04.2010 at AMC, Bownapally. Presently he is working as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu on deputation from 25.01.2017 to 22.04.2018. During his tenure as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu he has committed grave misconduct as much as:-

Charge-1

He being selection grade Secretary of Agricultural Marketing Committee, Ananthapuramu failed to visit / inspect the same on important days and failed to supervise the important work of collection of market fee by the staff of the Cattle Market.

Charge-2

He failed to ensure maintenance of important registers by the staff of Agricultural Market Committee.

Charge-3

He failed to control his subordinate staff from collecting amounts illegally from the purchasers of the cattle from the Weekly Cattle Market.

Thus, Sri K. Nooruddin, Deputy Director of Marketing (Retired) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu, by his above mentioned acts exhibiting lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened Rules 3(1), (2) and (5) of APCS (Conduct) Rules, 1964.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE- II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.NOORUDDIN, S/o SRI K.FAKRUDDIN, AGE 59 YEARS, DEPUTY DIRECTOR OF MARKETING, OD AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, ANANTHAPUR.

That, Sri K. Nooruddin S/o Sri K.Fakruddin, 59 yrs, joined into Government service on 19.09.1983 as Junior Assistant in Agricultural Market Committee and worked in various capacities. Subsequently he got promotion as Senior Assistant on 28.06.1994; promoted as Superintendent on 09.06.2000; promoted as Audit Officer on 13.08.2007 and worked at his Head office, Hyderabad and further promoted as Deputy Director of Marketing as Selection Grade Secretary on 30.04.2010 at AMC, Bownapally. Presently he is working as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu on deputation from 25.01.2017 to 22.04.2018. His date of birth is 01.02.1959 and he attains his age of superannuation of 60 years on 31.01.2019. He is hereinafter referred to as Govt. Servant.

Charge-1

He being selection grade Secretary of Agricultural Marketing Committee, Ananthapuramu failed to visit / inspect the same on important days and failed to Supervise the important work of collection of market fee by the staff of the Cattle Market.

Charge-2

He failed to ensure maintenance of important registers by the staff of Agricultural Market Committee.

Charge-3

He failed to control his subordinate staff from collecting amounts illegally from the purchasers of the cattle from the Weekly Cattle Market.

FACTS AND EVIDENCE:

Brief facts are that, on 22.04.2018 the ACB officials of Ananthapuramu Range in the presence of two mediators conducted surprise check at the Cash Counter of Weekly Cattle Market of Agricultural Market Committee, Ananthapuramu located in the Agriculture Market Yard, Gooty Road, Ananthapuramu Town, by the officials of Anti-Corruption Bureau and the

mediators divided into two separate groups watched the functioning of Cash Counter of Weekly Cattle Market from 11.35 to 12.30 hours and found that the staff were collecting market fee from the cattle purchasers. Immediately they entered in to the cash counter and found the Government Servant in the chair. There was an office table in-front of him and cash receipt books, a bank swiping machine and a black color cash bag were there on it. At that time one of his staff was also present in the said counter and remaining staff were found at the gate and were stopping the purchasers who were going outside along with the purchased livestock and also stopping the vehicles in which the cattle are being transported from the Market Yard to outside, instructing the purchasers to go to the Cash counter for paying market fee and sometimes collecting amounts from them without giving any receipt. The two persons present at the Cash counter were giving receipts for some amounts received by them from the purchasers of cattle and sometimes they received the cash without giving the receipts to them. The Inspector, Anti-Corruption Bureau, Ananthapuramu disclosed his identity and ascertained the identity of the Government Servant and his staff members.

When the searches on the person of Sri N.Mahaboob Peera, Supervisor was found in possession of Rs.17,500/- on his person while Sri M.Nagendra was found in possession of Rs.680/-, Sri B.Sankar Naik was found in possession of Rs.900/-, Sri J.Obulesu was found in possession of Rs.1410/-, Sri Ramanaidu was found in possession of Rs.2,150/-, Sri S.Lakshmana Murthy was found in possession of Rs.1,060/-, Sri N.Nageswaraiah was found in possession of Rs.500/-, Sri M.Mahesh was found in possession of Rs. 60/- and Sri M.Dhanunjaya was found in possession of Rs.110/- respectively.

During the searches, an amount of Rs.64,570/- was found in the cash bag which was found on the table the Sri N.Mahaboob Peera, Supervisor, which is found to be excess of Rs. 4,080/- against the collected amount of Rs.60,490/- towards market fee from the purchasers of cattle on 21.4.2018 & 22.4.2018 by furnishing the cash receipts. When the Inspector, Anti-Corruption Bureau questioned Sri N.Mahaboob Peera, Supervisor and staff about the finding of un-authorized total cash of Rs.28,280/- they could not account for the same.

On enquiry with some of the purchasers of the cattle from the Weekly Cattle Market 1) Sri Macha Eswaraiah, S/o M.Subbaiah, age 32 yrs, Kammuru vg., Kuderu (M); 2) Sri Suddula Sivanna, S/o Naganna, age 38 yrs, Cholasamudram Vg., Kuderu (M); 3) Sri Kappala Ramakrishna, S/o K.Rushingappa, age 40 yrs, Jalalapuramu vg., Singanamala (M); 4) Sri D.Subbarayudu, S/o D.Venkata Ramudu, 55 yrs, Near State Bank, Bathalapalli; 5) Sri S.Katamaiah, S/o S.Nagappa, 50 yrs, Raghavampalli vg., Bathalapalli (M) and 6) Sri Kavali Chandra, S/o K.Peddanna, 25 yrs, Molakalapenta vg., Guntakal (M) stated that they used to come to cattle sandy situated at Agricultural Market Yard, Ananthapuramu to purchase the cattle /

sheep for their needs, after purchasing the cattle, while they are returning, the staff of Market Committee who were present at the gate are insisting to pay the market fee at Cash Counter. Sometimes, the said staff issues receipts to them for the amounts paid by them towards market fee, sometimes they wouldn't give the receipts for the amounts paid by them towards market fee and sometimes they issues receipts for the lesser amounts which they paid towards market fee to them and etc. facts.

During the Surprise Check, the C.R.Book Register for the year 2018-19, Remittance Register and Cash Chitta Register were verified and found that the Government Servant was received 12 No's of Cash Receipt books bearing Nos. 1475 to 1486 from the office of Secretary, Agricultural Market Committee on 20.4.2018 and did not remitted the Cash to the Government which he was collected on 21.04.2018 and 22.04.2018.

During the course of surprise check proceedings, thus Sri K. Nooruddin was enquired and he informed that no personal cash declaration register is being maintained and the staffs are deployed to the duties of collection of market fee at Cattle Shandy in AMC. As per the procedure laid down in the marketing rules 1% of purchase cost is being collected towards market fee from the purchasers of the cattle and staff who are deputed to the said duty has to collect the same duly filling the cash receipt in triplicate and the original has to be given to the customer while the duplicate and triplicate has to be returned to the office along with collected market fee.

During surprise check the Government Servant was found in cash counter by keeping a cash bag and aPOS machine in front of him on the table. On searching the Government Servant he was found in possession of Rs.17,500/- with him.

As per Rule 31 Sub Rule 7 the Government Servant shall be responsible for carrying on the day to day working of the office of the Committee, maintenance of accounts, punctual rendering returns, monthly reviews of the progress made in the enforcement of the Act and the safe custody of the cash, the common seal, the minutes book and other records and assets of the Committee. As per the Attendance maintained through biometric system, which discloses the Government Servant has attended only four (4) days (Sheet & Goat sandy on Saturday and cattle sandy on Sunday out of the 8 days of sandy market for the month of May, 2018). Further the Government Servant has not made any specific inspection of the cattle market as the said market is situated in the premises of the main market yard, Ananthapuramu.

During the searches, an amount of Rs.64,570/- was found in the cash bag which was found on the table of the Government Servant. When cash receipts were verified it was found that an amount of Rs.60,490/- was collected towards market fee from the purchasers of cattle on 21.4.2018 & 22.4.2018. Thus there was excess amount of Rs.4,080/- with the Government Servant.

When the Inspector, Anti-Corruption Bureau questioned the Government Servant and staff about the unauthorized cash of Rs.28,280/- they could not account for the same.

The Assistant Director of Marketing, Ananthapuramu informs that no inspection registers and inspection reports are maintained in weekly cattle market and no supervising authority have visited and inspected the cattle market of the Agriculture Market Committee, Ananthapuramu.

During the surprise check proceedings the Government Servant informed that no personal cash declaration register is maintained and the staff are deployed to the duties of collection of market fee at Cattle Sandi in AMC.

During the Surprise Check, on verification of the C.R.Book Register for the year 2018-19, Remittance Register and Cash Chitta Register it was found that the Government Servant received 12 No's of Cash Receipt books bearing Nos. 1475 to 1486 from the office of Secretary, Agricultural Market Committee on 20.4.2018 and did not remit the Cash to the Government which he collected on 21.04.2018 and 22.04.2018.

During the course of surprise check proceedings Sri K. Nooruddin, Secretary of Agricultural Committee of Ananthapuramu was enquired and he informed that the Government Servant along with Sri T. Venkatesulu, Sri K.C.M. Eswar Prasad, Sri M. Nagendra and other staff had to duty of Collection of Market Fee at Weekly Cattle Shandy at Agricultural Market Committee (AMC) and as Sri K.C.M. Eswar Prasad and Sri Venkatesulu requested for Sunday holiday permission. He sanctioned permission to them duly allotting the Weekly Cattle Shandy duties to Junior Market Supervisor Sri B. Shankar Naik, UDC, Sri Nagendra, Security Guards Sri J. Obulesu, Sri R. Rama Naidu, Sri S. Lakshmana Murthy and Sri Nageswaraiah, outsourcing watchman's Sri M. Mahesh and Sri M. Dhanunjaya with instructions to do their duties at Cattle Shandy under the supervision of the Government Servant and that no personal cash declaration register is being maintained and the staff are deployed to the duties of collection of market fee at Cattle Shandy in AMC. As per the procedure laid down in the marketing rules 1% of purchase cost is being collected towards market fee from the purchasers of the cattle and staff who are deputed to the said duty has to collect the same duly filling the cash receipt in triplicate and the original has to be given to the customer while the duplicate and triplicate has to be handed over in the office along with collected market fee.

On enquiry with some of the purchasers of the cattle from the Weekly Cattle Market such as 1) Sri Macha Eswaraiah, S/o M.Subbaiah, age 32 yrs, Kammuru vg., Kuderu (M); 2) Sri Suddula Sivanna, S/o Naganna, age 38 yrs, Cholasamudram Vg., Kuderu (M); 3) Sri Kappala Ramakrishna, S/o K.Rushingappa, age 40 yrs, Jalalapuramu vg., Singanamala (M); 4) Sri

D.Subbarayudu, S/o D.Venkata Ramudu, 55 yrs, Near State Bank, Bathalapalli; 5) Sri S.Katamaiah, S/o S.Nagappa, 50 yrs, Raghavampalli vg., Bathalapalli (M) and 6) Sri Kava li Chandra, S/o K.Peddanna, 25 yrs, Molakalapenta vg., Guntakal (M) stated that they used to come to cattle shandy situated at Agricultural Market Yard, Ananthapuramu to purchase the cattle/sheep for their needs, after purchasing the cattle, while they are returning, the staff of Market Committee who were present at the gate are insisting to pay the market fee at Cash Counter. They also stated that the said staff issue receipts to them for the amounts paid by them towards market fee, sometimes they wouldn't give the receipts for the amounts paid by them towards market fee and sometimes they issue receipts for the lesser amounts which they paid towards market fee to them and etc. facts.

When the searches on the person of Sri M. Nagendra he was found in possession of Rs.680/-, Sri B.Sankar Naik was found in possession of Rs.900/-, Sri J.Obulesu was found in possession of Rs.1410/-, Sri Ramanaidu was found in possession of Rs.2,150/- Sri S.Lakshmana Murthy was found in possession of Rs.1,060/-, Sri N.Nageswaraiah was found in possession of Rs.500/- respectively. Further the Market Yard, Anantapur is having 8 number of C.C. cameras situated in the cattle market yard and the Government Servant has to monitor the transaction taking place at the Market Yard, Ananthapuramu through C.C. Cameras available in the market yard through the television screens available in the chambers. As such he failed to supervise the subordinates while discharging his duties.

As per the letter in Roc.No.A1/127/ACB/2018, dt:21.05.2018 of Assistant Director or Marketing, Ananthapuramu, all the employees who are having revenue collection duties should maintain all the required Registers such as Movement Register, Duty Register, Job Chart, Cash Chitta, Personal Cash Declaration Register at check posts as well as at cash collection points in the Market Yards, as A.P. Financial Code is applicable to Agricultural Market Committees also on par with other Government Institutions and thereby violated the Agricultural Marketing Rules, 1966.

The Government Servant holding the supervisory post did not take the possible steps to ensure the integrity and devotion to duty of all his subordinates under his control and authority.

Thus the Government Servant being supervisory officer did not visit / inspect the weekly cattle market on the important days and did not supervise the important work of collection of Market Fee, failed ensure maintenance by the Duty Register, Movement Register, Weekly Cattle Market Visit / Inspections Register and Personal Cash Declaration Register at the cash counter of Weekly Cattle Market of Agricultural Market Committee, Ananthapuramu and failed to control his subordinate staff for habitual collection of illegal amounts.

Hence the Government Servant Sri K.Nooruddin, Deputy Director of Marketing (Retd.) on OD as Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu, by his above mentioned acts had exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby contravened the Rules 3(1), (2) & (5) of APCS (Conduct) Rules, 1964.

Thus the Government Servant Sri K.Nooruddin rendered himself liable for regular departmental action for major penalty.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.773 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE – III

LIST OF WITNESSES

1. Sri G.Reddy Balaji, S/o G.Pakeerappa, age 52 yrs, Asst. Social Welfare Officer, Ananthapuramu R/o Plot No. 603, Nishkala Apartments, 2nd cross, Aravind Nagar, Ananthapuramu town (Mediator-1).
2. Sri T.Irshad Ahamed, S/o T.Basheer Ahamed, age 56 yrs, Hostel Welfare Officer, S.W.Boys Hostel, Tarimela village, Singanamala mandal, R/o D.No.12/912, 5th Cross, Sainagar, Ananthapuramu town (Mediator-2).
3. Smt. B.Himasaila, Assistant Director of Marketing, Ananthapuramu.
4. Sri Macha Eswaraiah, S/o M.Subbaiah, age 32 yrs, Kammuru vg., Kuderu (M) (purchaser of cattle)
5. Sri Suddula Sivanna, S/o Naganna, age 38 yrs, Cholasamudram Vg., Kuderu (M) (purchaser of cattle)
6. Sri Kappala Ramakrishna, S/o K.Rushingappa, age 40 yrs, Jalalapuramu vg., Singanamala (M) (purchaser of cattle);
7. Sri D.Subbarayudu, S/o D.Venkata Ramudu, 55 yrs, Near State Bank, Bathalapalli (purchaser of cattle);
8. Sri S.Katamaiah, S/o S.Nagappa, 50 yrs, Raghavampalli vg., Bathalapalli (M) (purchaser of cattle);
9. Sri Kavali Chandra, S/o K.Peddanna, 25 yrs, Molakalapenta vg., Guntakal (M) (purchaser of cattle);
10. Sri R.Prathap Reddy, Inspector of Police, ACB, Ananthapuramu (purchaser of cattle);
11. Sri T.V.Chakravarthi, Inspector of Police, ACB, Ananthapuramu (purchaser of cattle);

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No. 773 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE – IV

LIST OF DOCUMENTS

1. Surprise check proceedings drafted on 22.04.2018 from 13.30 hours to 21.00 hours at the cash counter of Agriculture Market Committee, Ananthapuramu.
2. C.R.Book Register for the year 2018-19: It is maintained in a bound book having Page Nos 1 to 264 and found the entries were made in Page No. 2 to 7 from 3.4.2018 to 22.4.2018.
3. Remittance Register: It is maintained in a bound book having Page Nos 1 to 268 and found the entries were made in Page No. 3 to 56 from 01.01.2018 to 21.4.2018.
4. Cash Chitta Register: It is maintained in a long bound book having Page Nos 1 to 203 and found the entries were made in Page No.2 to 20 from April, 2018 to 21.4.2018
5. Statements of six Cattle Purchasers recorded during the Surprise Check Proceedings on 22.04.2018.
6. Proceedings, dt.13.04.2017 of Secretary, Agricultural Market Committee, Ananthapuramu with regard to the allocation of duties to the staff.
7. Certificate furnished by the Secretary, Agricultural Market Committee, Ananthapuramu with regard to maintenance of Personal Cash Register etc.,
8. Service particulars and Job Chart of Secretary, Agricultural Market Committee, Ananthapuramu furnished by Assistant Director of Marketing, Ananthapuramu.
9. Reply in Roc.No.27/2018, dt.28.4.2018 of the Secretary, Agricultural Market Committee, Ananthapuramu with regard to the timings of duty staff at the Weekly Cattle Market on 21 & 22.04.2018.
10. Reply in Roc.No.A1/127/ACB/2018, Dt.21.05.2018 and 07.06.2018 of Assistant Director of Marketing, Ananthapuramu with regard to the procedure of Collection of Market Fee at Cattle Market and etc.,
11. Reply in Roc No.27/2018, dt.26.05.2018 of Secretary, Agricultural Market Committee, Ananthapuramu with regard to the non maintenance of Superior officers visiting / Inspection Register at Weekly Cattle Market.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER